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March 11, 2024

VIA CM/ECF

Honorable Esther Salas, U.S.D.J.
United States District Court
District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Jane Doe, et al. v. John Smith
Case No. 2:24-cv-00634-ES-JBC

Dear Judge Salas:

As Your Honor is aware, I represent a minor, through his parents and legal guardians, who was served with a subpoena seeking documents and deposition testimony in connection with the above-referenced matter.

After meeting and conferring with counsel for the Plaintiff, it is apparent that Plaintiff's counsel has reneged on his initial proposal for a Discovery Confidentiality Order in this matter to cover third-party depositions. Plaintiff's counsel himself was responsible for drafting what I had believed was the agreed upon form of Order that would have been imminently submitted to the Court, on consent of all parties and participants, in advance of my client's scheduled deposition. However, at nearly midnight last Thursday, March 7, 2024, counsel wrote an email to a number of the lawyers for the parties and other participants in this case wherein he stated, "[w]e are no longer agreeable to the proposed Confidentiality Order[.]" After Plaintiff's counsel drafted and circulated the Order I had believed would be submitted to the Court for entry, Plaintiff's counsel's reversal is perplexing.

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Earlier today, I reached out to counsel for Plaintiff for clarity on whether he was, in fact, withdrawing his proposed form of Order, consistent with my meet and confer obligations. After counsel confirmed that he was, in fact, doing so, I am left with no option than to submit the attached form of Discovery Confidentiality Order for the Court's review and consideration, as directed in the Court's Text Order dated March 1, 2024 [DKT. 33]. I had hoped that such an Order would be submitted on consent of Plaintiff's counsel given that he originally drafted it and that my client and I were in agreement with it in form and substance, but in light of the last minute reversal noted above, I respectfully request that the Court enter the attached as expeditiously as possible prior to my client's scheduled deposition on March 13, 2024.

The attached proposed form of Order is the standard Discovery Confidentiality Order for the District of New Jersey with only slight modifications to fit the precise needs of this case wherein a number of minors are involved as both parties and non-party witnesses. I respectfully submit that the attached proposed form of Order adequately protects all parties and third-party participants. While Plaintiff's counsel appears unwilling to discuss substantively how to modify the proposed form of Order he originally circulated to meet the needs of his client in response to my request to meet and confer, I believe that the attached, which is derived from the Court's own form of Discovery Confidentiality Order, provides the necessary protections needed for all parties and participants.

I thank the Court for its consideration of this matter. If the Court has any questions, please do not hesitate to have Your Honor's chambers contact the undersigned.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matthew S. Adams".

Matthew S. Adams

MSA/jmr
Enclosure

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